

Application No.: 09/204,390

Attorney Docket No.: 72167.000061

REMARKS

Claims 1-26 are pending in this application. By this Amendment, claims 1, 2, 9, 10, 13 and 18 are amended, and claims 25 and 26 are added to recite further novel features of the invention.

In the present Amendment, the claims have yet further been amended to clarify and recite the claimed invention. No new matter is presented by the Amendment. Support for the amendments may be found, for example, in paragraphs 0014, 0017, 0022, and 0023-0028 of the published patent application US 2001/0016833 and in the drawings, for example.

Applicant respectfully requests reconsideration of the application.

A. The Objection to the Claims

On page 2, the Office Action objects to claims 18-21 asserting a minor informality. In response, the claims are amended.

It is respectfully submitted that the objection to the claims is overcome.

B. The Rejection under 35 U.S.C. §112

In the Office Action, claim 9 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Office Action asserts a minor deficiency. In response, claim 9 is amended.

Applicant respectfully submits that claim 9 now satisfies the requirements of 35 U.S.C. §112.

C. The 35 U.S.C. §103 Rejection based on Melchione

In the Office Action, claims 1-21 are rejected under 35 U.S.C. 103(a) as being anticipated by Melchione et al (U.S. Patent No. 5,930,764). This rejection is traversed.

Application No.: 09/204,390

Attorney Docket No.: 72167.000061

Applicant hereby provides a clean presentation of further amended claim 1.

Claim 1 - A method for processing transaction data using a processing system, the method comprising:

receiving transaction data, the transaction data containing account numbers;

identifying non-issuer account numbers, in the transaction data, which represent accounts not issued by an issuer using the processing system, the identifying being performed using a scrubbing process in which transaction data with accounts issued by an issuer is eliminated;

performing a matching process on the identified non-issuer account numbers including:

identifying an identified consumer associated with each of the identified non-issuer account numbers;

determining if the identified consumer is a customer of the issuer, including determining (1) that some of the identified consumers are customers of the issuer, and (2) that some of the identified consumers are not customers of the issuer; and

if the identified consumer is a customer of the issuer, then linking the non-issuer account number of the customer with the issuer account number of the customer, so as to provide the issuer account number of the customer appended to the non-issuer account number; and

if the identified consumer is not a customer of the issuer, then discarding the non-issuer account number associated with such consumer; and

outputting results from the matching process, the results including the issuer account number of the customer appended to the non-issuer account number.

Application No.: 09/204,390

Attorney Docket No.: 72167.000061

On pages 15-16, the Office Action, in the Response to Arguments" responds to Applicant's prior arguments regarding the teachings of Melchione vis-à-vis the pending claims.

The Office Action reflects:

Examiner cites in the current office action the specific areas within the Melchione patent in which the steps in claim 1 are performed, including matching issuer and non-issuer accounts, linking or merging the accounts if the consumer is a current customer of the issuer, and not linking information and rather discarding information if the consumer is not a customer. The concept of matching accounts and data mining to analyze other activity of a consumer is old and well known as taught by Melchione, as well as Frank in terms of consumer account information being provided by a credit bureau.

Applicant submits that such comments set forth in the Office Action fail to fairly reflect the features set forth in claim 1, for example. Rather, such comments in the Office Action reflect an inappropriate simplification of the invention.

In particular, claim 1 (both as previously presented and as currently presented) recites, in summary, *identifying a non-issuer account number; identifying a consumer associated such non-issuer account number; and determining if the identified consumer is a customer of the issuer* (emphasis added).

Thus, such language sets out (i.) a particular manner in which a consumer is identified, and then (ii.) the step of determining whether that consumer is a customer of the issuer. Accordingly, claim 1 sets forth more than just generally matching and linking accounts, as the Office Action appears to reflect. Further, claim 1 has been amended to further recite the particulars of the claimed invention.

Further, looking to the substance of Melchione, Melchione simply does not teach such manipulation of information, as set forth in claim 1. In particular, Applicant submits that Melchione fails to teach or suggest *identifying a consumer associated such non-issuer account*

Application No.: 09/204,390

Attorney Docket No.: 72167.000061

number; and determining if the identified consumer is a customer of the issuer (emphasis added).

That is, claim 1 recites the particular feature "*determining if the identified consumer is a customer of the issuer*" which is interwoven into the various other features of claim 1.

Melchione fails to teach or suggest such features.

Relatedly, on page 4 the Office Action asserts that Melchione discloses "determining if the identified consumer is a customer of the issuer (column 2, lines 28-41; column 7, lines 59-67; column 12, lines 7-21; column 16, lines 16-20). In review of such disclosure of Melchione, such teaching is simply not apparent. That is, the claimed feature clearly relates to a positive step of determining if a particular consumer (who is ascertained via the claimed process) is or is not a customer of the issuer. That is, the feature relates to specific decisioning of whether the consumer is or is not a customer of the issuer. Thus, such claimed feature entails more than just working with or manipulating data in a database.

In the referenced col. 2, lines 28-41, Melchione teaches that typically, a database management system (DBMS) is used to manage the creation, storage, access, updating, deletion, and use of a database. A typical DBMS creates databases and their structures; provides the means for the control and administration of the data in the database; provides the means for users and application programs to access, enter, modify, and manipulate the data in a database; provides a report generator; provides "ad hoc" query facilities; provides reports to management on who accessed the database and what activity was performed; provides reports to operators on hardware utilization, status of current users, and other monitoring data; and provides automatic backup and recovery routines for the data in databases. Applicant respectfully submits that to assert that such disclosure teaches the claimed feature, as asserted in the Office Action, clearly

Application No.: 09/204,390

Attorney Docket No.: 72167.000061

inappropriately minimizes the claimed invention and the particular claimed feature. Indeed, such disclosure of Melchione little more than generally describes operation of a typical database.

Further, the other noted sections of Melchione, i.e., column 7, lines 59-67; column 12, lines 7-21; and column 16, lines 16-20 equally fail to fairly disclose the claimed feature of "determining if the identified consumer is a customer of the issuer" as asserted in the Office Action. For example, column 7, lines 59-67, of Melchione talks to a central database and the type of data that may be stored therein. Such disclosure fails to teach determining if the identified consumer is a customer of the issuer.

Further, column 12, lines 7-21 of Melchione describes that the process comprises the steps of: inputting data into the central database from a plurality of sources; standardizing and householding said input data into a plurality of organizational levels within said central database; communicating a sales campaign concept to the micromarketing center; generating leads based on the sales campaign concept by entering criteria into a user interface of said user workstation for defining a list of customers to target during the sales campaign; building structured queries in response to the selected criteria and searching the central database using said structured queries, identifying records in said central database that match said selected criteria, and generating said list of customers to target during the sales campaign and electronically distributing said list of customers to said branch workstations. Applicant submits that such disclosure fails to teach determining if the identified consumer is a customer of the issuer, as recited in claim 1.

Further, the Office Action references column 16, lines 16-20. Therein, Melchione teaches that central database 10 may include information concerning existing customer financial information, information from outside sources and demographic information about existing and potential customers. Applicant respectfully submits that such fails to teach the feature of

Application No.: 09/204,390

Attorney Docket No.: 72167.000061

"determining if the identified consumer is a customer of the issuer", i.e., the decisioning process as set forth in claim 1. The Examiner is requested to expand on the manner in which such teaching of Melchione is alleged to teach the claimed feature.

Applicant submits that Melchione fails to fairly teach or suggest the features of claim 1. In order to expedite prosecution of the application, Applicant has further amended claim 1 to reflect details of the claimed invention. Amended claim 1 is set forth above. For example, claim 1 is amended to recite:

performing a matching process on the identified non-issuer account numbers including:
identifying an identified consumer associated with each of the identified non-issuer account numbers;
determining if the identified consumer is a customer of the issuer, including determining (1) that some of the identified consumers are customers of the issuer, and (2) that some of the identified consumers are not customers of the issuer.

It is emphasized that claim 1 recites various processing before and after such illustrative features. Melchione fails to teach or suggest such claimed features.

In the Abstract, Melchione teaches a sales process support system and method for identifying sales targets using a centralized database to improve marketing success. The system includes a central database that receives comprehensive information from a variety of internal and external feeds, and standardizes and households the information in a three-level hierarchy (households, customers, and accounts) for use by a financial institution. Melchione teaches that the comprehensive information stored on the central database is accessed through micromarketing workstations to generate lists of sales leads for marketing campaigns.

In column 16, line 3, (in addition to the Melchione disclosure noted above) Melchione teaches aspects of processing of Melchione's central database. Melchione describes the central database 10 is designed to insure the accuracy of the information and to make the information

Application No.: 09/204,390

Attorney Docket No.: 72167.000061

easier to use by non-technical staff. Thus, the system includes means for scrubbing and standardizing incoming information, householding, building history, calculating status codes, maintaining tables and calculating strategic flags.

Melchione further teaches the purpose of the central database 10 is to store, in one location, information from various businesses and departments within the financial institution. In the case of a bank, for example, the fact that a particular customer owns a checking account, has a student loan and has been solicited by bank cards a couple of times or for various products can be stored in the central database 10.

In column 16, lines 29, Melchione describes the data from the various feeds 21-25 is stored in the central database 10 in a uniform format. For this purpose, a uniform storage or householding algorithm, a name and address standardization process, and a merge process is preferably used. In this way, the central database serves as a single central repository for storing all customer-related information available to the financial institution. The householding algorithm ties different accounts together into a single unit considered to be one household, based on information such as the same last name and same address, or same name or social security number on different accounts, and so forth that indicate the same person or persons living in the same household. The householding process provides a meaningful way of getting to the data on the central database 10 and extracting it logically.

Applicant respectfully submits that such teachings of Melchione fail to teach or suggest the specifics of claim 1, as those features are described above

Accordingly, Applicant submits that Melchione fails to teach or suggest the invention as recited in claim 1 for at least the reasons set forth above. Claim 1 recites a particular manipulation of information relating to the processing of "non-issuer account numbers" in

Application No.: 09/204,390

Attorney Docket No.: 72167.000061

conjunction with a determination of whether the associated "identified consumer" is a customer of the issuer. Melchione fails to teach or suggest these particular features as set forth in claim 1, as well as other features. Further, Applicant respectfully submits that claims 10 and 18, as well as new claim 26, recite patentable subject matter for reasons similar to those set forth above with respect to claim 1.

Further, the various dependent claims recite patentable subject matter at least for their various dependencies on the independent claims, as well as for the additional subject matter such dependent claims recite.

D. The 35 U.S.C. §103 Rejection Based on Melchione and Frank

In the Office Action, claims 2 and 22 are rejected under 35 U.S.C. 103(a) as being unparentable over Melchione as applied to claim 1 above, and further in view of "Beyond direct mail" by John N. Frank in Credit Card Management, 1996 (further referred to as Frank). This rejection is traversed.

The Office Action asserts that regarding claim 2, Melchione discloses a method wherein identifying non-issuer account numbers which represent accounts not issued by an issuer is performed by the issuer (column 2, lines 28-41; column 7, lines 59-67; column 12, lines 7-21; column 16, lines 16-20); but that Melchione does not disclose wherein the matching step is performed by a credit bureau. The Action asserts, that however, Frank discloses wherein the matching step is performed by a credit bureau (page 2, lines 22-24; page 2, line 41 - page 3, line 2). The Office Action goes on that it would be obvious to one of ordinary skill in the art to combine the use of matching by credit bureaus as disclosed by Frank with the account data warehousing method as disclosed by Melchione.

Application No.: 09/204,390

Attorney Docket No.: 72167.000061

Applicant submits that the basis of such rejection is unsupportable. The Action asserts that "Frank discloses wherein the matching step is performed by a credit bureau." Applicant submits that Frank is fully devoid of such teaching. In the referenced sections, Frank teaches data warehousing is the catchphrase being used today for creating such data bases. It refers to taking all available information about accounts and potential accounts, from credit-bureau reports to demographic data to transactional data, and storing them in one computer system capable of analyzing and discerning patterns that enable an issuer to tailor card offers to niche markets. Frank further describes issuers should review their portfolios, look for key characteristics of their most profitable accounts, and then try to find clones of those account holders. Frank further describes in the past, this might have meant taking credit-bureau report characteristics of such accounts and looking for groups with similar traits.

Accordingly, Frank clearly teaches using credit-bureau report information. However, Frank appears fully devoid of any teaching of the claimed matching process. The Examiner is requested to clarify support for such alleged teaching.

The Office Action further asserts, regarding claim 22, Melchione discloses a method wherein identifying non- issuer account numbers which represent accounts not issued by an issuer includes generating a file containing the non-issuer account numbers (column 23, lines 1-17); and further asserts Melchione does not disclose the method including forwarding the file from the issuer to the credit bureau; and wherein the outputting results from the matching process includes the credit bureau forwarding the results from the credit bureau to the issuer. The Office Action attempts to cure such stated deficiencies by asserting that however, Frank discloses where a credit bureau is used for data warehousing and data mining (page 2, lines 11-14) and wherein account information about existing accounts (page 2, line 18, lines 22-

Application No.: 09/204,390

Attorney Docket No : 72167.000061

24, lines 27-8 and lines 41-42) is stored in databases based on information from credit bureaus in order to discern account patterns (page 2, lines 22-24 and lines 33-34; page 2, line 41 - page 3, line 2). The Office Action concludes it would be obvious to one of ordinary skill in the art that credit bureaus are used for gathering account data, wherein the credit bureau sends results to organizations wishing to analyze account information using the data they provide.

However, Applicant submits that even if it were obvious to modify Melchione in such manner, which it is not so admitted, such would fail to cure the deficiencies as set forth above, as to claim 1.

Withdrawal of the 35 U.S.C. §103 rejection is respectfully requested.

E. Conclusion

In view of the foregoing amendments and remarks, Applicant respectfully submits that this application is now in condition for allowance. If the Examiner believes that prosecution and allowance of the application will be expedited through an interview, whether personal or telephonic, the Examiner is invited to telephone the undersigned with any suggestions leading to favorable disposition of the application.

Respectfully submitted,

HUNTON & WILLIAMS LLP

By: 

James R. Miner
Registration No. 40,444

Date: August 31, 2006

Hunton & Williams LLP
1900 K Street, N.W., Suite 1200
Washington, D.C. 20006-1109
(202) 955-1500 (Telephone)
(202) 778-2201 (Facsimile)